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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/558,095	04/25/2000	Simon Antony James Holdsworth	GB990104US1	9369

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EXAMINER

TODD, GREGORY G

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 02/14/2003

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/558,095	Applicant(s) HOLDSWORTH ET AL.	
	Examiner Gregory G Todd	Art Unit 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 April 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>3</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is a first office action in response to application filed, with the above serial number, on 25 April 2000 in which claims 1-8 are presented for examination. Claims 1-8 are therefore pending in the application.

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "32" has been used to designate both message broker and subscriber. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "11 and 12" have been used to designate both broker and publisher. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "31" has been used to designate both subscriber and publisher application. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
4. Figures 1, 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction

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or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

5. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

6. The disclosure is objected to because of the following informalities: On page 10, lines 22-24, "a message broker data processing apparatus including: message broker data processing apparatus comprising:" is repetitive.

Appropriate correction is required.

7. The following title is suggested: "PUBLISH/SUBSCRIBE DATA PROCESSING WITH PUBLICATION POINTS FOR CUSTOMISED MESSAGE PROCESSING".

Claim Rejections - 35 USC § 112

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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9. Claims 3 and 6 recite the limitation "the broker" in line 26. There is insufficient antecedent basis for this limitation in the claim.

10. Claim 2 recites the limitation "the subscriber applications" in line 21. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

12. Claims 1-2, 5 and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Knapman et al (hereinafter "Knapman", 6,298,455).

13. As per Claims 1 and 5, Knapman discloses a message broker data processing apparatus and method, wherein Knapman discloses:

means for receiving published messages on a topic from a plurality of publisher applications (at least col. 1, lines 44-55);

means for processing the received messages (at least col. 1, lines 31-40, 44-55);

and

means for distributing the processed messages to a subscriber application (at least col. 1, lines 31-40);

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wherein the means for receiving includes a plurality of publication point data processing nodes (brokers), each of which (broker 12, broker 121, etc) receives published messages on said topic from a publisher application (at least Fig. 2).

14. As per Claim 2.

wherein said apparatus communicates with a subscriber application over the Internet and wherein at least one of the subscriber applications and the publisher application runs in conjunction with a World Wide Web browser (at least col. 1, lines 19-23).

15. As per Claim 8.

Knapman discloses a computer program product stored on a computer readable storage medium for, when run on a computer, instructing the computer to carry out the method steps recited in claim 5 (at least col. 3, lines 41-45).

Claim Rejections - 35 USC § 103

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. Claims 3-4 and 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knapman in view of Hamlin (hereinafter "Hamlin", 6,310,888).

18. As per Claims 3 and 6.

Knapman does not disclose the broker performing different processing on published messages according to the publication point on which the published

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messages are published. However, the use and advantages for using such processing is well known to one skilled in the art at the time the invention was made as evidenced by the teachings of Hamlin. Although Knapman discloses a data processing system to process data/messages from a publisher to a subscriber, he does not specifically disclose how the data is to be processed and/or modified for the subscriber. Hamlin clearly discloses a broker process converting data from each source format corresponding to the address of the source application (at least Hamlin Fig. 3, 8, abstract; col. 1, lines 57-62; col. 2, lines 59-65). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of Hamlin's broker conversion system onto Knapman's data processing broker because this would allow the subscriber to get the data they are subscribing to in a format they can understand and allow different and foreign publishers to have a wider subscriber base depending on subscriber preferences.

19. As per Claims 4 and 7.

wherein messages in different formats are published on different publication points, and the processing associated with each publication point is used to render the messages into a standard format available at a subscription point (at least Hamlin col. 4, lines 4-26; col. 6, lines 43-67).

Conclusion

20. Schultz et al, Bracho et al, Bamforth et al, Bass et al, Bolam et al, and McLaughlin et al are cited for disclosing pertinent information related to the claimed

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invention. Applicants are requested to consider the prior art reference for relevant teachings when responding to this office action.

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory G Todd whose telephone number is (703)305-5343. The examiner can normally be reached on Monday - Friday 8:30am-5:00pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703)308-7562. The fax phone numbers for the organization where this application or proceeding is assigned are (703)746-9153 for regular communications and (703)305-7201 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.



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January 31, 2003


ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100